

WEDNESDAY, APRIL 2, 1997

TWENTY-FOURTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Richard Sibert, Walnut Grove Missionary Baptist Church, Murfreesboro, Tennessee.

Representative Hood led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present95

Representatives present were: Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Garrett; business reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 22: Rep(s). Sharp, White, Hargett, Sands, Haley, Naifeh, West, Bone, Pleasant and McDonald as prime sponsor(s).

House Joint Resolution No. 74: Rep(s). Sharp, Dunn and Sargeant as prime sponsor(s).

House Bill No. 204: Rep(s). Cooper as prime sponsor(s).

House Bill No. 340: Rep(s). Bone and White as prime sponsor(s).

House Bill No. 409: Rep(s). S. Jones as prime sponsor(s).

House Bill No. 583: Rep(s). White, Towns, Maddox, Fitzhugh, Bone, Hood, Caldwell, Langster, Cooper, Ferguson, Miller and Sands as prime sponsor(s).

House Bill No. 825: Rep(s). Tidwell and Roach as prime sponsor(s).

House Bill No. 893: Rep(s). West as first prime sponsor(s).

House Bill No. 895: Rep(s). Cooper as prime sponsor(s).

House Bill No. 1063: Rep(s). S. Jones as prime sponsor(s).

House Bill No. 1237: Rep(s). Bittle, Godsey and Sargeant as prime sponsor(s).

House Bill No. 1301: Rep(s). Cooper as prime sponsor(s).

House Bill No. 1495: Rep(s). Hargrove, Davidson, Naifeh, Lewis and Miller as prime sponsor(s).

House Bill No. 1624: Rep(s). Fowlkes as prime sponsor(s).

House Bill No. 1814: Rep(s). Chumney as prime sponsor(s).

House Bill No. 1901: Rep(s). S. Jones as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Beavers was/were removed as sponsor(s) of **House Bill No. 1237**.

On motion, Rep(s). Beavers was/were removed as sponsor(s) of **House Bill No. 893**.

MESSAGE FROM THE SENATE

April 1, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 24, 43, 301, 316, 325, 414, 419, 680, 717, 728, 796, 1248, 1260, 1330, 1447, 1872, 1952 and 1953; also, House Joint Resolution(s) No(s). 114, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 127, 128 and 129; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 1, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 31, 518 and 1253; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 1, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 162, 936, 1260, 1264 and 1656; also, Senate Joint Resolution(s) No(s). 110, 111, 113, 114, 115, 116, 117, 118, 119 and 120 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 1, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 425, 435, 436, 438, 1031, 1181, 1579, 1650, 1662 and 1825; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 425** -- Housing - Gives housing authority security officers law enforcement authority including right to carry weapon if meet POST commission standards Amends TCA Section 13-20-419. by *Dixon.

***Senate Bill No. 435** -- Architects and Engineers - Authorizes state board of examiners for architects and engineers to waive education and experience requirements not required at time of original registration for persons whose certification has lapsed longer than six months. Amends TCA Section 62-2-307. by *Haynes.

***Senate Bill No. 436** -- Architects and Engineers - Requires state board of examiners for architects and engineers to print annual roster instead of on April 30, of all registered architects, engineers, landscape architects and registered interior designers. Amends TCA Section 62-2-207. by *Haynes.

***Senate Bill No. 438** -- Architects and Engineers - Deletes requirement that practical experience as engineer must be obtained after graduation from school approved by board of examiners for architects and engineers; provides that pre-graduation engineering experience will apply. Amends TCA Section 62-2-401. by *Haynes.

***Senate Bill No. 1031** -- Landlord and Tenant - Removes landlord's requirement that prospective tenants be furnished with security deposit account; extends period of time in which landlord must inspect premises and make list of damages to two working days rather than at time of termination of occupancy. Amends TCA Title 66, Chapter 28, Part 3. by *Gilbert.

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Senate Bill No. 1181 -- Health - Removes authorization of volunteer rescue squads to transport patient without EMT, physician or nurse accompanying transported patient. Amends TCA Title 68, Chapter 140, Part 5. by *Ramsey.

Senate Bill No. 1531 -- Uniform Commercial Code - Rewrites process for filing continuation of financing statements by secured parties; clarifies changes made when law revised in 1996 (Chapter 1073, Public Acts of 1996). Amends TCA Title 47, Chapter 9. by *Crutchfield.

***Senate Bill No. 1579** -- School Transportation - Permits local school districts to allot space on exterior or interior of school buses for commercial advertising. Amends TCA Title 49, Chapter 6, Part 21. by *Rochelle, *Koella, *Kyle.

Senate Bill No. 1650 -- Banks and Financial Institutions - Enacts "Deferred Presentment Services Act." Amends TCA Title 45. by *Rochelle.

Senate Bill No. 1662 -- Agriculture - Creates agricultural resources conservation fund. Amends TCA Section 67-4-409. by *Williams, *Elsea, *McNally, *Jordan, *Koella, *Atchley, *Person, *Haun, *Carter, *Ramsey, *Gilbert, *Miller J, *Fowler, *Leatherwood, *Crowe.

Senate Bill No. 1825 -- Sports - Requires sports agent permits to be renewed annually at cost of \$100; requires applications for sports agent permits to include fee of \$50.00 for each additional sports agent permit requested. Amends TCA Title 49, Chapter 7, Part 21. by *Gilbert, *Carter, *Womack.

**REPORT OF CHIEF ENGROSSING CLERK
April 1, 1997**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 24, 43, 301, 316, 325, 414, 419, 680, 717, 728, 796, 1248, 1260, 1330, 1447, 1872, 1952 and 1953; also, House Joint Resolution(s) No(s). 114, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 127, 128 and 129.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR
April 1, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1927 and 1948, also, House Joint Resolution(s) No(s). 105, 107, 108, 109, 110, 111 and 112; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**ENROLLED BILLS
April 1, 1997**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 137.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
April 1, 1997

The Speaker signed the following: House Joint Resolution(s) No(s). 137.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 1, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 137; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
April 1, 1997

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 137.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
April 1, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 127, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 147 -- Highway Signs - "M.M. Bullard Memorial Highway," segment of U.S. 25-70, Cocke County, by *Davis R.

Transportation Committee

***House Joint Resolution No. 152** -- General Assembly, Directed Studies - Urges department of transportation to study feasibility of including Glenobey Road in Fentress County within state highway system, by *Windle.

Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 3, 1997:

House Resolution No. 49 -- Memorials, Personal Occasion - Granny Lynn Plemons, 90th birthday. by *Ferguson.

House Resolution No. 50 -- Memorials, Professional Achievement - Bob's Burgers, tenth anniversary. by *Ferguson.

House Resolution No. 51 -- Memorials, Public Service - Tanger Outlet Center employees, Community service. by *Huskey.

House Joint Resolution No. 150 -- Memorials, Sports - 1996-1997 Perry County High School boys' basketball team, TSSAA Class A state champions. by *Tidwell.

House Joint Resolution No. 151 -- Memorials, Public Service - James Ron Lane, WRJB-Super 98. by *Tidwell.

House Joint Resolution No. 153 -- Memorials, Sports - Larry Looper, Head Coach, Livingston Academy girls' basketball team. by *Windle.

House Joint Resolution No. 156 -- Memorials, Professional Achievement - Wendy Moten, R&B Singing Sensation. by *DeBerry L.

House Joint Resolution No. 157 -- Memorials, Recognition and Thanks - Henry D. Wattenbarger. by *Ferguson.

House Joint Resolution No. 159 -- Memorials, Personal Occasion - Mr. and Mrs. Joe Perry, 50th wedding anniversary. by *Beavers, *Bone.

House Joint Resolution No. 161 -- Memorials, Personal Occasion - Kingston Lions Club, 50th Anniversary. by *Ferguson.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 84** -- General Assembly, Confirmation of Appointment - Hubert L. McCullough, State Board of Education. by *Womack, *Atchley, *Henry, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Education Committee

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Senate Joint Resolution No. 140 -- Naming and Designating - "Youth Art Month," March 1997. by *McNally.

Education Committee

***Senate Joint Resolution No. 61** -- General Assembly, Studies - Continues special joint committee (HJR 448, 99th General Assembly) to study delivery of mental health services. by *Henry, *Atchley, *Wilder, *Dixon.

Health & Human Resources Committee

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 425** -- Housing - Gives housing authority security officers law enforcement authority including right to carry weapon if meet POST commission standards Amends TCA Section 13-20-419. by *Dixon. (HB1127)

***Senate Bill No. 435** -- Architects and Engineers - Authorizes state board of examiners for architects and engineers to waive education and experience requirements not required at time of original registration for persons whose certification has lapsed longer than six months. Amends TCA Section 62-2-307. by *Haynes. (HB976)

***Senate Bill No. 436** -- Architects and Engineers - Requires state board of examiners for architects and engineers to print annual roster, instead of on April 30, of all registered architects, engineers, landscape architects and registered interior designers. Amends TCA Section 62-2-207. by *Haynes. (HB977)

***Senate Bill No. 438** -- Architects and Engineers - Deletes requirement that practical experience as engineer must be obtained after graduation from school approved by board of examiners for architects and engineers; provides that pre-graduation engineering experience will apply. Amends TCA Section 62-2-401. by *Haynes. (HB974)

***Senate Bill No. 1031** -- Landlord and Tenant - Removes landlord's requirement that prospective tenants be furnished with security deposit account; extends period of time in which landlord must inspect premises and make list of damages to two working days rather than at time of termination of occupancy. Amends TCA Title 66, Chapter 28, Part 3. by *Gilbert. (HB1354)

Senate Bill No. 1181 -- Health - Removes authorization of volunteer rescue squads to transport patient without EMT, physician or nurse accompanying transported patient. Amends TCA Title 68, Chapter 140, Part 5. by *Ramsey. (*HB678)

Senate Bill No. 1531 -- Uniform Commercial Code - Rewrites process for filing continuation of financing statements by secured parties; clarifies changes made when law revised in 1996 (Chapter 1073, Public Acts of 1996). Amends TCA Title 47, Chapter 9. by *Crutchfield. (*HB440)

WEDNESDAY, APRIL 2, 1997 -- TWENTY-FOURTH LEGISLATIVE DAY

***Senate Bill No. 1579** -- School Transportation - Permits local school districts to allot space on exterior or interior of school buses for commercial advertising. Amends TCA Title 49, Chapter 6, Part 21. by *Rochelle, *Koella, *Kyle. (HB894)

Senate Bill No. 1650 -- Banks and Financial Institutions - Enacts "Deferred Presentment Services Act." Amends TCA Title 45. by *Rochelle. (*HB1212)

Senate Bill No. 1662 -- Agriculture - Creates agricultural resources conservation fund. Amends TCA Section 67-4-409. by *Williams, *Elsea, *McNally, *Jordan, *Koella, *Atchley, *Person, *Haun, *Carter, *Ramsey, *Gilbert, *Miller J, *Fowler, *Leatherwood, *Crowe. (*HB1262)

Senate Bill No. 1825 -- Sports - Requires sports agent permits to be renewed annually at cost of \$100; requires applications for sports agent permits to include fee of \$50.00 for each additional sports agent permit requested. Amends TCA Title 49, Chapter 7, Part 21. by *Gilbert, *Carter, *Womack. (*HB1749)

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 1, 1997**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for April 3, 1997**: House Bill(s) No(s). 383, 350, 830, 1655, 1725, 892, 1464, 1257, 1268, 1280, 1425, 409, 1246 and 1421.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for April 7, 1997**: House Bill(s) No(s). 1233, 1235, 280, 1646, 457 and House Joint Resolution(s) No. 101.

AGRICULTURE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 1249 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 699, 1271 and 1825; also House Bill(s) No(s). 460 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1650. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: Senate Joint Resolution(s) No(s). 50. Under the rules, each was transmitted to the Calendar and Rules Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 1749, also House Bill(s) No(s). 327 and 1549 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 561 and 1446; also House Bill(s) No(s). 1906 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1814 and 1495, also House Bill(s) No(s). 1808 and 1909 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

After review, the Government Operations Committee recommended that House Bill(s) No(s). 1262 be referred to the Conservation & Environment Committee; House Bill(s) No(s). 1492 be referred to the Health & Human Resources Committee and House Bill(s) No(s). 1869 be referred to the Education Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1362 and House Joint Resolution(s) No(s). 70. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1264 and 1758 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 1571, 1791, House Joint Resolution(s) No(s).90 and Senate Joint Resolution(s) No(s).86, also House Bill(s) No(s). 202, 874, 1025, 1023, 631, 1851, 1450 and 946 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1083; also House Bill(s) No(s). 1056, 1480 and 1172 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 2, 1997**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 7, 1997**: House Bill(s) No(s). 1925, 1244, 671, 1442, 76, 733, 731, 1331, 469, 400 and 1801.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 7, 1997**: House Bill(s) No(s). 744, 1904,362, 1739, 1336 and House Joint Resolution(s) No(s). 54.

CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 1063, also House Bill(s) No(s). 474 and 1332 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1110 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 506 and 1385 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 1162, 1255, 1335, 1127 and 787 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 597 and 50 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 560, also House Bill(s) No(s). 889 and House Joint Resolution No. 77 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CAPTION BILLS REFERRED

April 1, 1997

Pursuant to **Rule No. 47**, the following Caption Bill(s), 809, 1140 and 1174 held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 809 -- Custody and Support -- House Children & Family Affairs Committee

House Bill No. 1140 -- Custody and Support -- House Children & Family Affairs Committee

House Bill No. 1174 -- Pharmacy -- House Commerce Committee

CAPTION BILLS REFERRED

April 2, 1997

Pursuant to **Rule No. 47**, the following Caption Bill(s), 1243, 1250, 621, 1788, 1810, 990, 1526, 357 and 150 held on the Clerk's desk were referred to the following Committee(s):

***House Bill No. 1243** -- Taxes, Franchise -- House Finance, Ways & Means Committee

***House Bill No. 1250** -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 621** -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 1788** -- Employees, Employers -- House Consumer & Employee Affairs Committee

House Bill No. 1810 -- Custody and Support -- House Children & Family Affairs Committee

House Bill No. 990 -- State Employees -- House State & Local Government Committee

House Bill No. 1526 -- TennCare -- House Commerce Committee

***House Bill No. 357** -- Insurance, Health, Accident -- House Commerce Committee

***House Bill No. 150** -- Cemeteries -- House Commerce Committee

CONSENT CALENDAR

House Resolution No. 48 -- Memorials, Death - Chaplain D. Dewayne Davenport, Ph.D. by *Scroggs, *Pinion.

House Joint Resolution No. 146 -- Memorials, Personal Occasion - Robert Thomas Green, birth. by *Eckles.

House Joint Resolution No. 148 -- Memorials, Death - Thomas James Williams. by *Walley.

House Joint Resolution No. 149 -- Memorials, Professional Achievement - Dr. Ray Edward Marcrom, 1997 American Pharmaceutical Association Daniel B. Smith Practice Excellence Award recipient. by *Lewis, *Rhinehart.

Senate Joint Resolution No. 133 -- Memorials, Public Service - Madison-Goodlettsville Rotary Club, 40th anniversary. by *Haynes, *Graves.

Senate Joint Resolution No. 134 -- Memorials, Sports - Anna Spencer, TSSAA Class AA Waverly Central High School A. F. Bridges Award winner. by *Springer.

Senate Joint Resolution No. 135 -- Memorials, Sports - Chris Hamm, TSSAA Class AA A. F. Bridges award winner. by *Springer.

Senate Joint Resolution No. 136 -- Memorials, Sports - 1996-1997 Dickson County High School girls' basketball team. by *Springer.

Senate Joint Resolution No. 137 -- Memorials, Public Service - Harlan Mullins, 34 years service, member of Putnam County soil conservation district board of directors. by *Burks.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce,

Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Rep. Langster was recognized in the Well to honor the family of former Representative Harold Love.

RULES SUSPENDED

OUT OF ORDER

Rep. Langster moved to suspend the rules to remove House Bill No. 1566 from the Regular Calendar to be heard out of order, which motion prevailed.

House Bill No. 1566 -- Naming and Designating - "Representative Harold Love Outstanding Community Involvement Award." Amends TCA Sections 49-7-208 and 209. by *Langster, *Naifeh, *Jones U (Shelby), *Brown, *DeBerry J, *Armstrong, *Pruitt, *Robinson, *West, *Bittle, *DeBerry L, *Ridgeway, *Boner, *Kisber, *Hargrove, *Arriola, *Garrett, *Miller L. (*SB1025 by *Harper)

Rep. Langster moved that House Bill No. 1566 be passed on third and final consideration and that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1316 -- State Government - Revises legislative staff support services. Amends TCA Title 2, Chapter 3; Title 3; Title 4; Title 49, Chapter 9, Part 4 and Title 49, Chapter 50, Part 6. by *Hargrove. (*SB1642 by *Rochelle)

Rep. Hargrove moved that House Bill No. 1316 be passed on third and final consideration.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1316 by deleting the amendatory language of Section 34 and substituting instead the following:

The commissioner of general services shall provide reasonable notice to the two (2) speakers of any permit issued for the temporary use of space or facilities occupied or used by the general assembly.

AND FURTHER AMEND by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

SECTION 38. Tennessee Code Annotated, Section 3-7-101(b), is amended in the first sentence by inserting between the words "senate" and "the" the language "or the speaker's designee".

Tennessee Code Annotated, Section 3-7-101(b), is further amended in the first sentence by inserting between the words "representatives" and "the" the language "or the speaker's designee".

On motion, Amendment No. 1 was adopted.

Rep. Hargrove moved that **House Bill No. 1316**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 711** -- Children's Services, Dept. of - Prohibits placement of certain children in custody of department. Amends TCA Section 37-1-137. by *Brown. (SB1487 by *Crutchfield)

Further consideration of House Bill No. 711, previously considered on March 19, 1997, and reset to today's Calendar.

Rep. Brown requested that House Bill No. 711 be moved to the heel of the Calendar.

***House Bill No. 923** -- Game and Fish Laws - Authorizes use of cable snare traps in Marion County. Amends TCA Section 70-4-120. by *Fraley. (SB1827 by *Elsea)

Further consideration of House Bill No. 923, previously considered on March 26, 1997, and reset to today's Calendar.

Rep. Fraley moved that House Bill No. 923 be passed on third and final consideration.

Rep. Clabough moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 923 by deleting subdivision (ii) of the amendatory language of Section 1 and by substituting instead the following:

(ii) The provisions of this subdivision shall not apply to Blount County or to Marion County.

On motion, Amendment No. 1 was adopted.

Rep. Newton moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Jackson moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 923 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 70-4-120, is amended by deleting subsection (b) in its entirety.

On motion, Amendment No. 3 was adopted.

Rep. McKee moved that Amendment No. 4 be withdrawn, which motion prevailed.

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Rep. Goins moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. McKee moved adoption of Amendment No. 6 as follows:

Amendment No. 6

AMEND House Bill No. 923 by adding the following language at the end of the amendatory language of item (ii) in Section 1:

The provisions of this subdivision shall also not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

not less than

30,500
42,200
31,100

nor more than

30,800
42,500
31,400

On motion, Amendment No. 6 was adopted.

Rep. Goins moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND House Bill No. 923 by adding the following language at the end of the amendatory language of item (ii) in Section 1:

The provisions of this subdivision shall also not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

not less than

26,100
35,075
13,680

nor more than

26,400
35,200
13,750

On motion, Amendment No. 7 was adopted.

Rep. Fraley requested that House Bill No. 923 be moved to the heel of the Calendar.

***House Bill No. 494 --** Tobacco, Tobacco Products - Increases from Class C to Class A misdemeanor penalty for retailer or wholesaler selling cigarettes at below cost. Amends TCA Title 47, Chapter 25, Part 3. by *Davis R, *Walker, *Huskey. (SB659 by *Haun)

Further consideration of House Bill No. 494, previously considered on March 26, 1997, and reset to today's Calendar.

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Rep. Davis moved that House Bill No(s). 494 be reset for the Regular Calendar on Wednesday, April 9, 1997, which motion prevailed.

***House Bill No. 204** -- Education - Requires local and county boards of education which have adopted zero tolerance policy to submit certain information to state board to be compiled in annual report and submitted to governor and general assembly. Amends TCA Section 49-6-4216. by *Pruitt, *Langster, *Brooks, *Bowers, *DeBerry J, *DeBerry L, *Armstrong, *Miller L, *Towns, *Jones U (Shelby), *Turner (Shelby), *Brown. (SB697 by *Dixon)

Rep. Pruitt moved that House Bill No. 204 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 2 as House Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 204 by deleting in its entirety the amendatory language of Section 1, and substituting instead the following language:

(2) The comptroller of the treasury, office of education accountability, shall conduct a study regarding the implementation of Public Chapter 888 of 1996. Such study shall include but not be limited to:

1) a determination of disciplinary policies in effect in all school districts including those that have adopted a zero tolerance policy;

2) the methods of record keeping used by local education authorities to record such violations of the zero tolerance policy;

3) an analysis of disciplinary data for the school years 1994 through 1997 to include the following information:

(A) the specific misconduct that violated the policy;

(B) the age, grade level, sex, and race of the students engaged in the misconduct;

(C) the action taken by the school board, or its designee, for the misconduct.

The department of education, state board of education and the local education authorities shall cooperate with the office of education accountability and provide necessary information and assistance for this study. On or before November 1, 1997, the office of education accountability shall report the findings of the study to the general assembly and the governor. Such report shall include any recommendations for changes to the reporting methods used by school

districts and the department of education in relation to disciplinary record keeping policies and procedures.

AND FURTHER AMEND by deleting Section 2 of the printed bill in its entirety and by substituting instead the following language:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1 as House Amendment No. 2.

Rep. Maddox moved the previous question, which motion prevailed.

Rep. Pruitt moved that **House Bill No. 204**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

CHAIR TO RINKS

Mr. Speaker Naifeh relinquished the Chair to Rep. Rinks.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1237** -- Agriculture - Requires all tobacco seed sold in state be certified solely by official seed certifying agency; abolishes licensing requirement for retail sellers of agricultural seed selling in packages of one pound or less Amends TCA Title 43, Chapter 10, Part 1. by *Roach, *Davis R, *Boyer, *Haley, *Hargett, *Wood, *Pleasant, *McDaniel, *Stamps, *Walley, *Ford S, *Patton, *Kerr, *Beavers, *Kent, *Clabough, *McKee, *Newton, *Scroggs, *Walker, *McAfee, *Mumpower. (SB1654 by *Williams,

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*Koella, *Elsea, *McNally, *Atchley, *Gilbert, *Haun, *Carter, *Ramsey, *Leatherwood, *Jordan, *Miller J, *Fowler)

On motion, House Bill No. 1237 was made to conform with **Senate Bill No. 1654**; the Senate Bill was substituted for the House Bill.

Rep. Roach moved that **Senate Bill No. 1654** be passed on third and final consideration.

Rep. Gunnels moved the previous question, which motion prevailed.

Rep. Roach moved that **Senate Bill No. 1654** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	4

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Bowers, Brooks, Kernell, Towns -- 4.

A motion to reconsider was tabled.

House Bill No. 340 -- Taxes, Real Property - Permits county trustee in each county to accept partial payment of property taxes Amends TCA Section 67-5-1801(e). by *Head. (*SB253 by *Henry, *Dixon, *Rochelle)

On motion, House Bill No. 340 was made to conform with **Senate Bill No. 253**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that **Senate Bill No. 253**, be passed on third and final consideration.

Rep. Givens moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 253 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

not less than:
6,700

nor more than:
6,950

44,500

45,000

On motion, Amendment No. 1 was adopted.

Rep. Pruitt moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Pruitt moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 253 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 67-5-1801(e)(4), is amended by deleting subdivision (C) and by substituting instead the following:

In any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census the trustee may set a minimum requirement of no more than the lesser of fifteen percent (15%) or twenty-five dollars (\$25.00) for any partial payment.

On motion, Amendment No. 3 was adopted.

Rep. Head moved that **Senate Bill No. 253**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0
Present and not voting 1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Givens -- 1.

A motion to reconsider was tabled.

House Bill No. 583 -- Landlord and Tenant - Authorizes landlord or owner of real property to terminate rental agreements if property subject to rental agreement being used in sale, manufacture or use of drugs in Davidson and Shelby counties. Amends TCA Title 66, Chapter 7. by *DeBerry J, *Chumney, *Kent, *Hargett, *Haley, *Hassell, *DeBerry L, *Scroggs, *Jones U (Shelby), *Turner (Shelby), *Brooks, *Pleasant. (*SB51 by *Person, *Cohen, *Dixon, *Ford J, *Leatherwood, *Gilbert, *Jordan, *Carter, *Atchley, *McNally, *Elsea, *Fowler, *Crowe, *Miller J, *Ramsey, *Williams, *Koella, *Cooper, *Haun, *Harper, *Burks, *Crutchfield, *Davis L, *Graves, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Person, *Rochelle, *Springer, *Wilder, *Womack)

Rep. J. DeBerry moved that House Bill No(s). 583 be reset for the Regular Calendar on Wednesday, April 9, 1997, which motion prevailed.

House Bill No. 895 -- Health - Prohibits charging higher fee for vaccination or inoculation at public clinic to out of county resident when vaccination or inoculation unavailable in person's home county. Amends TCA Title 68. by *Beavers. (*SB880 by *Jordan)

Rep. Beavers moved that House Bill No. 895 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:
Amendment No. 1

AMEND House Bill No. 895 in the amendatory language of Section 1 by inserting the language "required for international travel which is" between the words "inoculation" and "provided".

On motion, Amendment No. 1 was adopted.

Rep. Beavers requested that House Bill No. 895 be moved to the heel of the Calendar.

House Bill No. 759 -- Sexual Offenses - Makes person charged with or convicted of sexual offense requiring registration under Sexual Offender Registration and Monitoring Act ineligible for pre-trial or judicial diversion. Amends TCA Title 40, Chapter 15 and Title 40, Chapter 35, Part 3. by *Jackson. (*SB1364 by *Rochelle)

Rep. Jackson moved that House Bill No. 759 be passed on third and final consideration.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

Rep. Jackson moved that **House Bill No. 759** be passed on third and final consideration, and that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes	97
Noes	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives voting no were: Turner (Shelby) -- 1.

A motion to reconsider was tabled.

House Bill No. 1302 -- Criminal Offenses - Expands scope of criminal offense of theft of utility services to include sanitary sewer services. Amends TCA Section 65-35-101, Section 65-35-102 and Section 65-35-103. by *Mumpower, *Westmoreland, *Whitson, *Godsey, *Hicks, *McDaniel. (*SB633 by *Person)

Further consideration of House Bill No. 1302, previously considered on March 27, 1997, and reset to today's Calendar.

Rep. Mumpower moved that **House Bill No. 1302** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce,

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Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1301 -- State Employees - Allows child of state employee who dies while employed, though not "in the line of duty," to continue to receive 25 percent tuition discount up to age 24. Amends TCA Section 8-50-115. by *Mumpower, *Westmoreland, *Whitson, *Patton, *Godsey, *McDaniel. (*SB1139 by *Haun)

Rep. Mumpower moved that **House Bill No. 1301** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 1281** -- Alcoholic Beverages - Redefines "restaurant" to include gourmet coffee houses to authorize sale and consumption of alcoholic beverages on such premises; to be located in city of more than 100,000, seating capacity of at least 30; with 50% of sales from coffees, teas and pastries. Amends TCA Section 57-4-102(19). by *Brown, *Turner (Shelby). (SB1638 by *Ford J)

Rep. Brown moved that **House Bill No. 1281** be re-referred to the Committee on Calendar & Rules, which motion prevailed.

***House Joint Resolution No. 32** -- Constitutional Amendments - Ratifies 15th Amendment guaranteeing right to vote. by *Brown, *Brooks, *Bowers, *Langster, *Armstrong, *Towns, *Jones U (Shelby), *Pruitt, *Miller L, *Cooper B, *DeBerry L, *DeBerry J, *Turner (Shelby).

Rep. Brown moved that House Joint Resolution No. 32 be adopted.

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Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 32 by deleting all language in its entirety and by substituting instead the following:

A RESOLUTION to post-ratify Amendment 15 to the Constitution of the United States of America guaranteeing the right of citizens to vote regardless of race, color, or previous condition of servitude.

WHEREAS, on February 26, 1869, the Fortieth Congress of the United States of America, at its third session, by a two-thirds (2/3) majority of both Houses, submitted to the legislatures of the several states for ratification a proposal to amend the Constitution of the United States of America in the following words, to wit:

"AMENDMENT 15

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

"Section 2. The Congress shall have power to enforce this article by appropriate legislation."; and

WHEREAS, by proclamation of federal Secretary of State Hamilton Fish, dated March 30, 1870 (16 Stat. 1131-2), this proposed amendment to the United States Constitution was officially declared to have been duly ratified by the legislatures of the constitutionally-required margin of at least three-fourths (3/4) of the several states, there being at the time 37 states in the Union; and

WHEREAS, after Amendment 15 had made its way into our Nation's highest law in early 1870, the legislatures of five other states which had been in the Union prior to its adoption--but which, like Tennessee, had not approved the amendment--post-ratified it, many years after 1870, as follows:

Delaware in 1901 (Senate Joint Resolution No. 13);

Oregon in 1959 (Senate Joint Resolution No. 7);

California in 1962 (Senate Joint Resolution No. 9);

Maryland in 1973 (Senate Joint Resolution No. 56);

Kentucky in 1976 (House [Joint] Resolution No. 75); and

WHEREAS, for the past 21 years, Tennessee has stood alone as the only state in the Union, both well before Amendment 15 was proposed and long after

it was adopted, whose legislature has never placed its own unique imprimatur upon these fundamental two sentences of the United States Constitution; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That Amendment 15 to the United States Constitution, quoted above, is hereby post-ratified by the Tennessee General Assembly.

BE IT FURTHER RESOLVED, That House Joint Resolution No. 98 (Act "Number LXXX") of the Thirty-Sixth General Assembly of the State of Tennessee, in which Amendment 15 was rejected by the Tennessee House of Representatives and by the Tennessee Senate, be hereby revoked, repealed, and utterly rescinded.

BE IT FURTHER RESOLVED, That a properly inscribed copy of this Resolution be transmitted by the Secretary of State of Tennessee to the Archivist of the United States, Washington, D.C., in compliance with Pub. L. 98-497.

BE IT FURTHER RESOLVED, That properly inscribed copies of this Resolution be individually transmitted by the Secretary of State of Tennessee to each of the following persons in Washington, D.C. with the respectful request that this Resolution be published in the Congressional Record:

the Vice-President of the United States, as presiding officer of the United States Senate;

the Parliamentarian of the United States Senate;

the Speaker of the United States House of Representatives; and

the Parliamentarian of the United States House of Representatives.

On motion, Amendment No. 1 was adopted.

Rep. Armstrong moved that **House Joint Resolution No. 32** be adopted and that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart,

Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Joint Resolution No. 22** -- Constitutional Amendments - Completes constitutional amendment process by proposing to 100th General Assembly same amendment to Article I, Section 32, requiring safe prisons rather than safe and comfortable prisons that was passed during 99th General Assembly. by *Buck, *McMillan, *Goins, *Pinion, *Bittle, *Newton, *Boyer, *McDaniel, *Stamps, *Maddox, *Fitzhugh.

Further consideration of House Joint Resolution No. 22, previously considered on March 27, 1997 and March 31, 1997, and reset for today's Calendar.

Rep. Buck requested that the Clerk read the Resolution for the third and final constitutional reading.

The Clerk read the Resolution in accordance with the Constitution.

Rep. Curtiss moved the previous question, which motion prevailed.

Rep. Buck moved adoption of **House Joint Resolution No. 22**, which motion prevailed by the following vote:

Ayes	86
Noes	6
Present and not voting	3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Boyer, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 86.

Representatives voting no were: Bowers, Brooks, Cooper, DeBerry J., Pruitt, Turner (Shelby) -- 6.

Representatives present and not voting were: Brown, Jones U., Langster -- 3.

Pursuant to Article 11 Section 3 of the Constitution of Tennessee, House Joint Resolution No. 22 having been agreed to by two-thirds of the members elected to the Tennessee House of Representatives of the 100th General Assembly, the Speaker declared the same adopted.

A motion to reconsider was tabled.

***House Bill No. 711** -- Children's Services, Dept. of - Prohibits placement of certain children in custody of department. Amends TCA Section 37-1-137. by *Brown. (SB1487 by *Crutchfield)

Further consideration of House Bill No. 711, previously considered on today's Calendar.

On motion of Rep. Brown, **House Bill No. 711** was withdrawn from the House.

***House Bill No. 923** -- Game and Fish Laws - Authorizes use of cable snare traps in Marion County. Amends TCA Section 70-4-120. by *Fraleley. (SB1827 by *Elsea)

Further consideration of House Bill No. 923, previously considered on today's Calendar, at which time the House adopted Amendment(s) No(s). 1, 3, 6 and 7 and withdrew Amendment(s) No(s). 2, 4 and 5.

Rep. Fraley moved that House Bill No. 923, as amended, be passed on third and final consideration.

Rep. Bittle moved adoption of Amendment No. 8 as follows:

Amendment No. 8

AMEND House Bill No. 923 by adding the following language at the end of the amendatory language of Item (ii) in Section 1:

The provisions of this subdivision shall also not apply in any county having a population of not less than three hundred thirty-five thousand (335,000) nor more than three hundred thirty-six thousand (336,000) according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 8 was adopted.

Rep. Fraley moved that **House Bill No. 923**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan,

WEDNESDAY, APRIL 2, 1997 -- TWENTY-FOURTH LEGISLATIVE DAY

Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

House Bill No. 895 -- Health - Prohibits charging higher fee for vaccination or inoculation at public clinic to out of county resident when vaccination or inoculation unavailable in person's home county. Amends TCA Title 68. by *Beavers. (*SB880 by *Jordan)

Further consideration of House Bill No. 895, previously considered on today's Calendar, at which time the House adopted Amendment No. 1.

Rep. Beavers moved that House Bill No(s). 895 be reset for the Regular Calendar on Monday, April 7, 1997, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 333** -- Municipal Government - Sets first election for city commissioners after adoption of initial charter; permits one time extension of terms. Amends TCA Title 6. by *Kent. (SB937 by *Miller J)

Rep. Kent moved that House Bill No(s). 333 be reset for the Message Calendar on Monday, April 7, 1997, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 825 -- Drugs - Establishes special fund in jurisdictions making arrest under Tennessee Drug Control Act for receipt, disbursing, and accounting of proceeds from fines and forfeitures. Amends TCA Section 39-17-420, Section 53-11-415 and Section 53-11-452. by *Rinks, *Stulce, *Bittle. (*SB190 by *Rochelle)

Senate Amendment No. 1

AMEND House Bill No. 825 by deleting the following sentence from the amendatory language of Section 1:

The chief law enforcement officer and the mayor of a municipality (or other chief executive officer of a metropolitan government) and the chief law enforcement officer of a county shall recommend a budget for the special fund, to be approved by the respective legislative bodies according to law. and by substituting instead the following language:

The chief law enforcement officer and the mayor of a municipality (or other chief executive officer of a metropolitan government) shall recommend a budget for the special revenue fund, to be approved by the legislative body of the municipality according to law. The chief law enforcement officer of a county shall recommend a budget for the special revenue fund, to be approved by the legislative body of the county according to law.

Senate Amendment No. 2

AMEND House Bill No. 825 by adding to the amendatory language of Section 1 in the fourth sentence after the second item the following new item and by renumbering the subsequent item accordingly.

- (3) local drug treatment program;

Senate Amendment No. 3

AMEND House Bill No. 825 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ___. Tennessee Code Annotated, Section 39-17-420, is amended by adding the following as a new subsection:

() Notwithstanding any other provision of this section to the contrary, in order to comply with state and federal fingerprinting requirements such as those in 42 U.S.C.A. Section 14071, effective July 1, 1997, twenty percent (20%) of the funds a sheriff or municipal police department receives pursuant to this section shall be set aside and earmarked for the purchase of an electronic fingerprint imaging system that is compatible with the Federal Bureau of Investigation's Integrated Automated Fingerprint Identification System. Twenty percent (20%) of such funds shall be set aside and earmarked each year until July 1, 2002, or until the sheriff or chief of police has sufficient funds to purchase such fingerprinting equipment, whichever amount of time is less. In lieu of purchasing such fingerprinting equipment, a local law enforcement agency may enter into an agreement with another law enforcement agency that possesses such equipment for the use of said equipment. Such agreement may provide that the local law enforcement agency may use the fingerprinting equipment for identifying persons arrested by that agency in exchange for paying an agreed upon portion of the cost and maintenance of the fingerprinting equipment.

Rep. Rinks moved that the House concur in Senate Amendment(s) No(s). 1, 2 and 3 to House Bill No. 825, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Nafieh -- 98.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 826 -- Boats, Boating - Requires children age 12 and under to wear personal floatation devices while in open boat or on open deck of vessel under way. Amends TCA Title 69, Chapter 10. by *Rinks. (*SB384 by *Atchley)

Senate Amendment No. 4

AMEND House Bill No. 826 by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 69, Chapter 10, Part 2, is amended by adding the following as a new section to be appropriately designated:

Section _____. (a) All persons age twelve (12) and under in an open boat or on an open deck of a vessel being used for recreational purposes on the waters of this state shall wear a United States Coast Guard approved wearable personal flotation device while such vessel is underway. Any personal flotation devices required by this section shall be in good and serviceable condition, appropriately sized and properly worn by the person. It shall be unlawful for any person to operate a vessel in violation of this section.

(b) This section does not apply to a commercial vessel owned and operated by a commercial entity which charges a per passenger fee.

(c) A violation of the provisions of this section is a Class C misdemeanor punishable by a fine of not more than fifty dollars (\$50.00).

Section 2. This act shall take effect July 1, 1997, the public welfare requiring it.

Senate Amendment No. 1

AMEND House Bill No. 826 by adding the following as a new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section _____. Any person cited under the provisions of this act shall be given thirty (30) days to provide to the officer proof of legal age and for good cause shown, in the judgement of the officer, said period shall be extended for _____ an additional period of thirty (30) days. In the event the proof shows that the _____ person was of legal age at the time of arrest, the individual shall not be required _____ to appear in court and the court, upon request of the officer, shall dismiss the _____ citation and there shall be no costs assessed to the person.

Rep. Rinks moved that the House concur in Senate Amendment(s) No(s). 4 and 1 to **House Bill No. 826**, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Ferguson, **House Bill No. 669** was recalled from the State & Local Government Committee and withdrawn from the House.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, notice was given that the following measure(s) from the Senate would be considered on April 3, 1997:

House Bill No. 1373: by Rep. Pinion

House Bill No. 1366: by Rep. Davidson

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 44: Rep(s). Ferguson as first prime sponsor(s).

House Bill No. 653: Rep(s). Davis as prime sponsor(s).

House Bill No. 733: Rep(s). Hargett, Haley and Pleasant as prime sponsor(s).

House Bill No. 892: Rep(s). Pruitt as prime sponsor(s).

House Bill No. 1172: Rep(s). Lewis as prime sponsor(s).

House Bill No. 1331: Rep(s). Hargett, Haley and Pleasant as prime sponsor(s).

House Bill No. 1336: Rep(s). Hargett, Haley and Pleasant as prime sponsor(s).

House Bill No. 1358: Rep(s). West as prime sponsor(s).

House Bill No. 1401: Rep(s). Head, McDaniel, Rhinehart, Kent and Cole (Dyer) as prime sponsor(s).

House Bill No. 1405: Rep(s). Beavers as prime sponsor(s).

House Bill No. 1810: Rep(s). Stamps as first prime sponsor(s).

House Bill No. 1823: Rep(s). Hargett as prime sponsor(s).

House Bill No. 1922: Rep(s). McDaniel as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Kisber was/were removed as sponsor(s) of **House Bill No. 1805**.

SIGNED
April 2, 1997

The Speaker signed the following: Senate Bill(s) No(s). 162, 936, 1260, 1264 and 1656; also, Senate Joint Resolution(s) No(s). 110, 111, 113, 114, 115, 116, 117, 118, 119 and 120.

MESSAGE FROM THE GOVERNOR

April 2, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 316, also, House Joint Resolution(s) No(s). 114, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 128, 129 and 137; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ENROLLED BILLS

April 2, 1997

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 31, 406, 518, 1253, 1372 and 1512.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 2, 1997

The Speaker signed the following: House Bill(s) No(s). 31, 406, 518, 1253, 1372 and 1512.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 2, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 325, 414, 680, 728, 1260, 1330, 1447 and 1872, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1373; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1254 and 1261; both substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

April 2, 1997

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 204, 759, 923, 1301, 1302, 1316 and 1566, also, House Joint Resolution(s) No(s). 22, 32, 146, 148 and 149.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 18, 306, 407, 1128, 1434, 1644 and 1647; also, Senate Joint Resolution(s) No(s). 123, 125, 127, 128, 131, 138, 143, 146, 147, 151 and 152 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 31, 406, 518, 1253, 1372 and 1512; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 681; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1578; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 32; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 285, 344 and 1142; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 145; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 145 -- Memorials, Sports - Coach Jill Prudden, Oak Ridge High School girls' basketball team. by *McNally, *Davis L.

MESSAGE FROM THE SENATE

April 2, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 122, 521, 529, 834, 1047, 1182, 1187, 1192, 1310, 1340, 1665, 1699, 1754, 1766 and 1860; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 122** -- Highway Signs - "Music Highway," I-40, Davidson County to Mississippi. by *Cohen, *Carter.

***Senate Bill No. 521** -- Managed Care Organizations - Authorizes non-profit HMO created prior to 1/1/81 by Blue Cross/Blue Shield to be treated as subsidiary of Blue Cross solely to determine status of HMO as admitted asset, provided Blue Cross has net worth at least equal to capital and surplus requirements of law for insurance company. Amends TCA Title 56, Chapter 2. by *Rochelle.

***Senate Bill No. 529** -- Domestic Violence - Requires valid orders of protection relating to domestic violence issued in another state be given full faith and credit for enforcement purposes by the courts of this state; provides procedure for filing foreign order with court clerk in this state Amends TCA Title 36, Chapter 3, Part 6. by *Burks, *Kurita, *Harper, *Springer, *Carter, *Cohen, *Davis L, *Dixon, *Fowler, *Graves, *Haun, *Haynes, *Henry, *Herron, *Kyle, *Miller J, *Person, *Womack.

***Senate Bill No. 834** -- Insurance, Health, Accident - Requires coverage of certain drugs by insurance policy or contract providing drug coverage. Amends TCA Title 56. by *Cooper, *McNally, *Cohen, *Crutchfield, *Dixon, *Haun, *Miller J, *Rochelle, *Springer.

***Senate Bill No. 1047** -- Business and Commerce - Sets procedures for dealers in surplus or used business commodities. Amends TCA Title 62. by *Womack, *Dixon.

WEDNESDAY, APRIL 2, 1997 -- TWENTY-FOURTH LEGISLATIVE DAY

Senate Bill No. 1182 -- Hospitals and Health Care Facilities - Establishes one-year moratorium on expansion of non-residential methadone treatment facilities; creates special legislative committee to perform comprehensive analysis of methadone. Amends TCA Title 68, Chapter 11. by *Ramsey, *Gilbert, *Crowe, *McNally, *Atchley, *Haun.

Senate Bill No. 1187 -- Children - Authorizes judge to require noncustodial parent of child to contribute to maintenance and support of custodial parent if custodial parent is a minor. Amends TCA Title 36, Chapter 2 and Section 36-5-102. by *Ramsey, *Leatherwood, *Cohen, *Fowler, *Williams.

***Senate Bill No. 1192** -- Highways, Roads and Bridges - Requires county road superintendent to submit list of all county roads before county legislative body classifies road. Amends TCA Title 54, Chapter 10, Part 1. by *Henry.

Senate Bill No. 1310 -- Emergency Communications Districts - Authorizes districts to require assignment and posting of property numbers. Amends TCA Title 7, Chapter 86. by *Burks.

***Senate Bill No. 1340** -- Public Records - Makes confidential ambulance records pertaining to a response by an ambulance service or invalid vehicle operator during which time patient evaluated, treated, or transported. Amends TCA Title 68, Chapter 140, Part 5. by *Cooper, *Ramsey, *Crutchfield.

Senate Bill No. 1665 -- Education - Sets November 1, 1996, instead of July 1, 1996, as new effective date for application of teacher effects testing data to Sander's model annual estimates on student progress in Grades 3 -- 8. Amends TCA Section 49-1-606. by *Leatherwood, *Elsa, *McNally, *Atchley, *Person, *Gilbert, *Jordan, *Koella, *Haun, *Carter, *Ramsey, *Miller J, *Fowler.

***Senate Bill No. 1699** -- Insurance, Health, Accident - Enacts "Tennessee Health Insurance Portability, Availability and Renewability Act." Amends TCA Title 56, Chapter 7. by *Fowler, *McNally, *Atchley, *Elsa, *Person, *Gilbert, *Leatherwood, *Jordan, *Miller J, *Ramsey, *Williams, *Carter, *Crowe, *Koella, *Dixon.

***Senate Bill No. 1754** -- Corporations - Removes limit of five assumed names that corporation may use. Amends TCA Title 48, Chapter 14. by *Kyle.

***Senate Bill No. 1766** -- Sports - Prohibits amateur boxing unless amateur is registered with USABF or comparable recognized organization; permits amateur contests also if no prize received by contestant. Amends TCA Title 68, Chapter 115. by *Cooper.

***Senate Bill No. 1860** -- Planning, Public - Empowers chief legislative body in Lakeland to appoint and remove municipal planning commission members. Amends TCA Section 13-4-101. by *Leatherwood.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Thursday, April 3, 1997.